

NIGERIA 2021 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Nigeria is a federal republic composed of 36 states and the Federal Capital Territory. In 2019 citizens re-elected President Muhammadu Buhari of the All Progressives Congress party to a second four-year term. Most independent observers agreed the election outcome was credible despite logistical challenges, localized violence, and some irregularities.

The Nigeria Police Force, which reports to the Ministry of Police and is overseen by the Police Service Commission, is the primary civilian law enforcement agency and enjoys broad jurisdiction throughout the country. The Ministry of Interior also conducts security and law enforcement activities. The Department of State Services, which reports to the national security advisor in the Office of the President, is responsible for counterintelligence, internal security, counterterrorism, and surveillance as well as protection of senior government officials. The Nigerian Armed Forces, which report to the minister of defense, also share domestic security responsibilities as stipulated in the constitution in the case of insufficient capacity and staffing of domestic law enforcement agencies or as ordered by the president. Many states, in response to increased violence, insecurity, and criminality that exceeded the response capacity of government security forces, created local “security” vigilante forces. These local forces reported to the state governor. Civilian authorities did not always maintain effective control over the security services. There were credible reports that members of the security forces committed numerous abuses.

The insurgency in the North East by the militant terrorist groups Boko Haram and the Islamic State in West Africa continued. The terrorist groups conducted numerous attacks on government and civilian targets, resulting in thousands of deaths and injuries, numerous human rights abuses, widespread destruction, the internal displacement of more than three million persons, and the external displacement of more than an estimated 327,000 Nigerian refugees to neighboring countries as of the year’s end.

Significant human rights abuses included credible reports of: unlawful and arbitrary killings by both government and nonstate actors; forced disappearances by the government, terrorists, and criminal groups; torture and cases of cruel, inhuman, or degrading treatment or punishment by the government and terrorist groups; harsh and life-threatening prison conditions; arbitrary arrest or detention; political prisoners; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; serious abuses in a conflict, including killings, abductions, and torture of civilians; serious restrictions on free expression and media, including violence or threats against journalists and the existence of criminal libel laws; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association; serious government corruption; lack of investigation and accountability for gender-based violence, including but not limited to domestic and intimate partner violence, sexual violence, child, early and forced marriage, female genital mutilation/cutting, and other harmful practices; crimes of violence targeting members of national/racial/ethnic minority groups; the existence or use of laws criminalizing consensual same-sex sexual conduct between adults; and the existence of the worst forms of child labor.

The government took steps to investigate, punish, and prosecute alleged abuses by military and police forces, including the now disbanded police Special Anti-Robbery Squad, but impunity for such abuses and corruption remained a problem.

Boko Haram and the Islamic State in West Africa continued attacks on civilians, military, police, humanitarian, and religious targets; recruited and forcefully conscripted child soldiers; and carried out scores of attacks on population centers in the North East and in Cameroon, Chad, and Niger. Abductions by Boko Haram and the Islamic State in West Africa continued. Both groups subjected many women and girls to sexual and gender-based violence, including forced marriages, sexual slavery, and rape. The government investigated attacks by Boko Haram and Islamic State in West Africa and took steps to counter the growth of the insurgency. The Eastern Security Network, the armed wing of the Indigenous People of Biafra separatist movement, staged multiple attacks on government buildings, including police stations, in the South East and reportedly killed dozens of security force officers. Criminal gangs killed civilians and conducted mass

kidnappings that particularly targeted school-age children in the North West.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings

There were reports that the government or its agents committed arbitrary, unlawful, or extrajudicial killings. At times authorities investigated and held accountable police, military, or other security force personnel responsible for the use of excessive or deadly force or for the deaths of persons in custody. Instances of unlawful or extrajudicial killings in the army, air force, and navy are initially investigated by commanding officers who decide whether an accusation merits low-level discipline or the initiation of court-martial proceedings, which are subject to appeal before military councils and the civilian Court of Appeals. The army used a human rights desk in Maiduguri to investigate allegations of abuse during military operations in the North East. The government regularly utilized disciplinary boards, judicial panels of inquiry, or internal complaint mechanisms to investigate abuses by security forces. When warranted, these bodies made recommendations of proposed disciplinary measures to the state or federal government. State and federal panels of inquiry investigating suspicious deaths did not always make their findings public.

The national police, army, and other security services sometimes used force to disperse protesters and apprehend criminals and suspects. Police forces engaging in crowd-control operations generally attempted to disperse crowds using nonlethal tactics, such as firing tear gas, before escalating their use of force.

On August 13, the Osun State Police Command announced the dismissal of Sergeant Adamu Garba, who shot and killed a motorcycle rider on July 27. Police reportedly dismissed the officer while judicial authorities prosecuted him, although no further information on the judicial process to hold the officer accountable was available.

The Lagos State government established a judicial panel in October 2020 to investigate alleged abuses committed by the disbanded Special Anti-Robbery

Squad (SARS) and the alleged role of the Nigerian military and the Nigeria Police Force in shooting at protesters at the Lekki Toll Gate in October 2020. The panel's 309-page report was leaked to the press on November 15 and was subsequently released by the Lagos State government on December 5, although both the state government and federal government disputed some of its findings.

The report implicated both the army and the Nigeria Police Force, stating that both participated in “a massacre in context” by opening fire on peaceful protesters with live ammunition. The report stated that coroners verified that three protesters died at the Lekki Toll Gate but suggested that the number of deaths might have been higher based on information from other sources. The report noted that the on-scene army commanders did not respond to multiple summons from the panel to testify, and the Nigeria Police Force claimed it had no personnel at the toll gate at the time despite contrary evidence. The panel stated it considered the army's limited participation a “calculated attempt to conceal material evidence from the panel,” according to page 301 of the report. The report also alleged that security forces attempted to cover up the shooting by preventing ambulances from accessing the injured as well as removing evidence from the scene, including bullets. The report made 32 recommendations, including: prosecution of members of the army and police who were at the scene; establishment of a tribunal to address future security agency abuses; compensation of injured protesters; and issuance of a public apology to #EndSARS protesters.

On November 30, the press received a leaked copy of a “white paper” issued by a committee set up by the Lagos State governor to respond to the panel's report. The white paper delineated the recommendations within Lagos State's jurisdiction and referred others, including that of legal action against the security forces, to the federal government for action. The white paper also identified “inconsistencies” in the panel's report, especially regarding the number of alleged deaths, and called its conclusions “totally unreliable and therefore unacceptable.” The federal minister of information and culture reiterated the government's claim that no massacre occurred, pointing instead to the previous government acknowledgement that two persons had died during the protest at the Lekki Toll Gate.

On October 19, Human Rights Watch published a report entitled *Nigeria: A Year On, No Justice for #EndSARS Crackdown*. The report stated at least one man was

shot by the military in the chest and died on the way to the hospital. While Human Rights Watch was not able to ascertain the total number of individuals killed, the report noted, “witnesses said that they saw what appeared to be at least 15 lifeless bodies and that military officers had taken away at least 11. Witnesses also reported that the police shot at least two protesters and took their lifeless bodies away.”

In February the Edo State High Court convicted a former Nigeria Police Force officer of the now-defunct SARS on conspiracy, murder, and grand theft charges for his role in the 2015 detainment, torture, and eventual death of Benin City car dealer Benson Obode. Of the five officers implicated in the crime, only Officer Joseph Omotosho was present in court. He was sentenced to death for his role in the killing. The other officers had their cases suspended pending their appearance in court.

On March 23, the Kogi State High Court sentenced Ocholi Edicha to 12 years’ and six months’ imprisonment on charges of criminal conspiracy, armed robbery, “mischief by fire,” and culpable homicide for his role in the death of Salome Abuh, a local People’s Democratic Party organizer who was killed by political supporters of Kogi governor Yahya Bello in 2019.

There were reports of arbitrary and unlawful killings related to internal conflicts in the North East and other areas (see section 1.g.).

Criminal gangs also killed numerous persons during the year (see section 1.b.).

b. Disappearance

On August 20, the International Committee of the Red Cross (ICRC) stated that more than 24,000 persons were registered as missing in the country, with the majority from the conflict area in the North East. There were reports of disappearances by or on behalf of government authorities. According to Amnesty International, the whereabouts of at least 50 suspected supporters of the Indigenous People of Biafra group arrested in Rivers State between October and November 2020 remained unknown at year’s end. Human Rights Watch stated that one person last seen at the Lekki Toll Gate protests in October 2020 remained missing as of October.

Criminal groups abducted civilians throughout much of the country, especially in the remote areas of the North Central and North West regions. School children and vulnerable populations were prime targets of abduction, as were religious leaders, local government leaders, police officers, university students, and laborers, among others. The Abuja-Kaduna-Zaria road axis remained a major target for kidnappers, forcing many travelers to transit by air or rail.

In March the Kaduna State government released its inaugural security report, which confirmed the killing of 937 residents and the abduction of 1,972 persons by local criminals in 2020. Kaduna State had the greatest number of kidnapping victims nationwide, according to several independent observers. The Kaduna State local government areas of Igabi, Birnin Gwari, Chikun, Zangon Kataf, and Kajuru experienced the majority of the abductions.

On April 20, gunmen attacked the Greenfield University in Kasamari Village in the Chikun (local government) Council of Kaduna State, abducted 20 students and two staff, and demanded a ransom of approximately \$2 million. Three of the students were killed on April 23, while the remaining were released on May 29 after parents of the victims reportedly paid a ransom of \$370,000.

On May 30, kidnappers abducted more than 100 students from an Islamic school in Tgina, Niger State. Six students died in captivity, and 15 escaped in June. The remaining students were confirmed released in late August.

On July 5, kidnappers abducted approximately 121 students from Bethel Baptist High School in Kaduna State. While most children were released following ransom payments, as of October 31, four students remained missing.

Maritime kidnappings remained common as militants in the Niger Delta engaged in piracy and related crimes. In February a fishing trawler was hijacked off the coast of Gabon. The crew was brought to Nigeria and freed after a reported ransom payment of \$300,000. In 2020 the Gulf of Guinea accounted for more than 95 percent of global kidnappings at sea.

Boko Haram and the Islamic State in West Africa (ISIS-WA) conducted large-scale attacks and abductions in Borno, Yobe, and Adamawa States (see section 1.g.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit torture and other cruel, inhuman, or degrading treatment. A 2017 law defines and specifically criminalizes torture. The law prescribes offenses and penalties for any person, including law enforcement officers, who commits torture or aids, abets, or by act or omission is an accessory to torture. It also provides a basis for victims of torture to seek civil damages. A 2015 law prohibits torture and cruel, inhuman, or degrading treatment of arrestees but fails to prescribe penalties for violators. Each state must also individually adopt the legislation compliant with the 2015 law for the legislation to apply beyond the Federal Capital Territory (FCT) and federal agencies. As of September more than three-quarters of the country's states (Abia, Adamawa, Akwa Ibom, Anambra, Bayelsa, Bauchi, Benue, Cross River, Delta, Edo, Ekiti, Enugu, Jigawa, Kaduna, Kano, Kogi, Kwara, Lagos, Nasarawa, Ogun, Ondo, Osun, Oyo, Plateau, Ebonyi, Imo, Katsina, Sokoto, and Rivers) had adopted compliant legislation.

The Ministry of Justice previously established a National Committee against Torture. Lack of legal and operational independence and limited funding hindered the committee from carrying out its work effectively.

The law prohibits the introduction into trials of evidence and confessions obtained through torture. Authorities did not always respect this prohibition. Of the 36 states, 29 as well as the Federal Capital Territory established judicial panels of inquiry to investigate allegations of human rights abuses carried out by the Nigerian Police Force and the disbanded SARS. The panels consisted of a diverse group of civil society representatives, government officials, lawyers, youth, and protesters with the task of reviewing complaints submitted by the public and making recommendations to their respective state government on sanctions for human rights abuses and proposed compensation for victims. Nearly all judicial panels completed their investigations and reported their findings to state governors, but most reports were not made public by year's end.

The Lagos State government established a judicial panel in October 2020 to investigate alleged abuses committed by SARS and Nigerian security services' alleged role in shooting at protesters at the Lekki Toll Gate in October 2020.

The Lagos State judicial panel extended its work beyond its initial mandate to obtain comprehensive evidence and testimony from the army and Lagos State government officials. The Lagos panel had received 235 petitions and awarded 410 million naira (\$1.02 million) in reparations to 71 victims of police brutality. The panel completed its work in October. The panel's report was leaked to the press on November 15 and subsequently made available on the Lagos State government website (see section 1.a).

Human Rights Watch reported on October 19 the findings of 54 interviews with victims, witnesses, family members of victims, medical professionals, and others affected by the October 2020 Lekki Toll Gate shooting. A doctor who treated victims of the Lekki shooting confirmed three persons brought to the hospital where he worked had limbs amputated due to injuries sustained during the shooting.

Local nongovernmental organizations (NGOs) and international human rights groups accused the security services of illegal detention, inhuman treatment, and torture of criminal suspects, militants, detainees, and prisoners.

Amnesty International carried out investigations into human rights abuses in Anambra, Imo, Ebonyi, and Abia States. The organization documented 62 cases of arbitrary arrest, ill-treatment, and torture. It also reportedly reviewed video and audio recordings that showed security forces using excessive force and "other unlawful means to address the rising violence."

Police used a technique commonly referred to as "parading" of arrestees, which involved walking arrestees through public spaces which subjected them to public ridicule. Bystanders sometimes taunted and hurled food and other objects at arrestees. In August the Lagos governor signed a bill banning police from "parading" suspects before media.

The constitution specifically recognizes sharia courts for noncriminal proceedings; state laws do not compel participation by non-Muslims or Muslims in sharia courts. Sharia courts in 12 states and the FCT may prescribe punishments, such as caning, amputation, flogging, and death by stoning, although civil courts overturned these sentences on appeal. There were reports of canings during the

year in Kaduna and Kano States.

In February a laborer from Kaduna State was sentenced to 12 lashes for allegedly stealing a cell phone. In June, six men from Kano State were sentenced to canings and jail time for possessing stolen cell phones. In October a man from Kaduna State was sentenced to 80 lashes for denying paternity for his sixth child.

Defendants generally did not challenge caning sentences in court as a violation of statutory law. Sharia courts usually carried out caning immediately. In some cases convicted individuals paid fines or went to prison in lieu of caning.

In February and June at least three defendants convicted of fornication and caned sued the state for assault or other human rights abuses, causing the state to pay damages of between 10 million and 60 million naira (\$24,800 and \$149,000).

According to the *Conduct in UN Field Missions* online portal, there were no new reports of sexual exploitation or abuse by peacekeepers from the country who were deployed to UN peacekeeping missions. There were still three open allegations, including one from 2018 involving exploitative relationships and rape and two from 2017 – one involving transactional sex and one involving 53 peacekeepers in exploitative relationships with 62 adults and three peacekeepers involved in the rape of three children. As of September the United Nations had substantiated the 2017 allegation involving transactional sex, repatriated the perpetrator, and accountability measures by the government were pending. The government substantiated two allegations, one from 2017 and one from 2019. In those cases the United Nations repatriated the perpetrators, and the government took actions against them including imposing demotion, jail time, and fines. The government continued to investigate the other allegations.

Impunity, exacerbated by corruption and a weak judiciary, remained a significant problem in the security forces, especially in police, military, and the Department of State Services. Police, the military, and the Department of State Services reported to civilian authorities but periodically acted outside civilian control. The government regularly utilized disciplinary boards and mechanisms to investigate security force members and hold them accountable for crimes committed on duty, but the results of these accountability mechanisms were not always made public. The Nigeria Police Force's Complaint Response Unit worked to rebuild trust in

police among citizens by holding police malefactors accountable. The revamped Complaints Response Unit was largely perceived to be a credible albeit nascent effort in the government's effort to gather and respond to citizens' complaints of police misconduct. Additionally, the minister of police inaugurated a Police Public Complaints Committee in April to allow citizens to register official complaints of abuses or misconduct by police officers. Police established a radio station to increase its communication with and get feedback from the public.

The human rights desk in Maiduguri coordinated with the National Human Rights Commission and Nigerian Bar Association to receive and investigate complaints, although their capacity and ability to investigate complaints outside major population centers remained limited. The court-martial in Maiduguri convicted soldiers for rape, murder, and abduction of civilians. The military continued its efforts to train personnel to apply international humanitarian law and international human rights law in operational settings.

In January the Imo State Police Command arrested four officers who were observed on a video striking two women and three men. The Nigeria Police Force condemned the officers' actions as "inhuman" and "unacceptable."

Prison and Detention Center Conditions

Prison and detention center conditions remained harsh and life threatening. Prisoners and detainees reportedly were subjected to gross overcrowding, inadequate medical care, food and water shortages, and other abuses. Some of these conditions resulted in deaths. The government sometimes detained suspected militants outside the formal prison system (see section 1.g.).

Physical Conditions: Overcrowding was a significant problem. Although the total designed capacity of the country's prisons was 50,153 inmates, as of July prison facilities held 68,556 prisoners. According to the government, approximately 74 percent of inmates were in pretrial detention. As of July there were 1,301 female inmates. Authorities sometimes held female and male prisoners together, especially in rural areas. Prison authorities sometimes held juvenile suspects with adults.

Many of the 240 prisons were 70 to 80 years old and lacked basic facilities. Lack

of potable water, inadequate sewage facilities, and overcrowding sometimes resulted in dangerous and unsanitary conditions.

Disease remained pervasive in cramped, poorly ventilated prison facilities, which had chronic shortages of medical supplies. Inadequate medical treatment caused some prisoners to die from treatable illnesses, such as HIV and AIDS, malaria, and tuberculosis. This situation was exacerbated by the COVID-19 pandemic. Although authorities attempted to isolate persons with communicable diseases, facilities often lacked adequate space, and inmates with these illnesses lived with the general prison population. Prisons provided limited health care to inmates and transferred seriously ill prisoners to government hospitals. There is no legal requirement to autopsy individuals in custody who die to determine a cause of death. There were no reliable statistics on the total number of prison deaths during the year, either due to physical conditions of prisons, jails, and other detention facilities or to prisoner-on-prisoner violence.

On November 29, gunmen attacked the Jos prison, during which one corrections official and nine prisoners were killed.

Guards and prison employees reportedly extorted inmates, including for sex (which could be interpreted as rape under the law), or levied fees on them to pay for food, prison maintenance, transport to routine court appointments, and release from prison. Female inmates in some cases faced the threat of rape, either from prison authorities or male prisoners in facilities that did not segregate by gender. One legal aid NGO reported that authorities generally acted on allegations of inmates raping another inmate. The law provides for prosecution of an officer who impregnates a female inmate but does not specifically mention rape. Only prisoners with money or support from their families had sufficient food. Prison employees sometimes stole money provided for prisoners' food. Poor inmates sometimes relied on handouts from others to survive. Prison employees, police, and other security force personnel sometimes denied inmates food and medical treatment to punish them or extort money.

Some prisons had no facilities to care for pregnant women or nursing inmates. Although the law prohibits the imprisonment of children, minors – some of whom were born in prison – lived in the prisons.

Generally, prison officials made few efforts to provide mental health services or other accommodations to prisoners with mental disabilities (see section 6).

Several unofficial military detention facilities continued to operate, including the Giwa Barracks facility in Maiduguri, Borno State. During the year conditions in the Giwa Barracks detention facility reportedly improved (see section 1.g). There were no reports of accountability for deaths in custody reported in past years.

After multiple releases during the year (see Improvements below), it was unclear how many children or adults remained in detention at Giwa Barracks or other unofficial detention facilities. According to press and NGO reports, the military continued to arrest and remand to military detention facilities, including Giwa Barracks, additional persons suspected of association with Boko Haram or ISIS-WA.

Following the death of Boko Haram leader Abubakar Shekau on May 19 in the Sambisa Forest in the North East, the number of defections and surrenders to the government by former Boko Haram terrorists, their families, and villagers under Boko Haram's control increased. As of September the International Organization for Migration reported there were approximately 3,500 men, women, and children in three camps in Maiduguri, and a significant number held in Bama. There was a mixture of men (including reportedly high-level Boko Haram commanders), women, families, and unaccompanied children at all three camps.

Administration: The National Human Rights Commission conducts prison audits. The commission released the results of a nationwide audit of all detention facilities in late 2020, covering 2018, and a report covering pretrial detention in 2019. The commission recommended renovation of existing facilities to meet needs, including for facility personnel, and noted a lack of sufficient health facilities and personnel. The audit highlighted concerns regarding overcrowding, with population at double capacity, and access to justice, with pretrial detainees five times the number of convicts. The commission noted a lack of adequate transportation for detainees to attend court proceedings, some concerns regarding case file maintenance for individuals in custody, and difficulties some individuals had in accessing legal representation, whether they were offered bail, or were able to pay fines and bail. Several individuals pending trial were identified who were

charged with minor offenses that did not mandate pretrial detention, and authorities did not clearly indicate specific charges for some detainees. The commission also documented some minors living with their mothers in custody, and a failure of authorities to segregate juvenile offenders from adults, or separation of detainees based on type of offense. Through its Legal Aid Council, the Ministry of Justice reportedly provided some monitoring of prisons through the Federal Government Prison Decongestion Program.

The law provides that the chief judge of each state, or any magistrate designated by the chief judge, shall conduct monthly inspections of police stations and other places of detention within the magistrate's jurisdiction, other than prisons, and may inspect records of arrests, direct the arraignment of suspects, and grant bail if previously refused but appropriate.

While prison authorities allowed visitors within a scheduled timeframe, in general few visits occurred, largely due to lack of family resources and travel distances. Prison employees sometimes requested bribes to allow access for visitors.

Independent Monitoring: Independent nongovernmental observers conducted limited monitoring of prisons. The ICRC had access to police detention, the Nigerian Correctional Service, and some military detention facilities. For example in the first seven months of the year, the ICRC visited and assessed the detention conditions of 2,500 persons in Kaduna and Plateau states. In Plateau State the ICRC provided 100 children (including orphans) from the North East with telephone services to contact and share news with their relatives.

Improvements: Authorities released 230 children (215 boys, 15 girls) held for periods ranging from one week to several years for alleged association with armed groups during the year. There was no further information on the status of nine other children (four boys, five girls) who, according to UNICEF, remained detained as of December 2020. In Kano, state attorney general Lawan Musa Abdullahi and the chief judge of the Kano State High Court toured prisons and detention facilities monthly to ensure that persons unlawfully imprisoned were released. On July 14, the military announced the release of 1,009 former Boko Haram fighters from Giwa Barracks to the Borno State government.

d. Arbitrary Arrest or Detention

Although the constitution and law prohibit arbitrary arrest and detention, police and security services at times employed these practices. The law also provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court, but detainees often found such protections ineffective, largely due to lengthy court delays.

Arrest Procedures and Treatment of Detainees

Police and other security services have the authority to arrest individuals without first obtaining warrants if they have reasonable suspicion a person committed an offense, a power they sometimes abused. The law requires that, even during a state of emergency, detainees must appear before a magistrate within 48 hours and have access to lawyers and family members. In some instances, government and security employees did not adhere to this regulation. Police held for interrogation individuals found in the vicinity of a crime for periods ranging from a few hours to several months. Authorities sometimes asked these individuals to return for further questioning after their release. The law requires an arresting officer to inform the accused of charges at the time of arrest, transport the accused to a police station for processing within a reasonable time, and allow the suspect to obtain counsel and post bail. Families were afraid to approach military barracks used as detention facilities. In some cases police detained suspects without informing them of the charges against them or allowing access to counsel and family members; such detentions often included solicitation of bribes. Provision of bail often remained arbitrary or subject to extrajudicial influence. Judges sometimes set stringent bail conditions. In many areas with no functioning bail system, suspects remained incarcerated indefinitely in investigative detention. At times authorities kept detainees incommunicado for long periods. Numerous detainees stated police demanded bribes to take them to court hearings or to release them. Prior to the Amendments to the Police Act of 2020, which became law in October, police had the legal right to arrest and hold detainees independently of the state prosecutor's knowledge or consent. Since the enactment of the law, which requires police and prosecutor cooperation prior to an arrest, there were reports that persons unlawfully detained without the knowledge of the state prosecutor were released. The government continued to turn to the armed forces to address internal security

concerns, due to insufficient capacity and staffing of domestic law enforcement agencies. The constitution authorizes the use of the military to “[s]uppress insurrection and act in aid of civil authorities to restore order.” The military was part of continuing joint security operations throughout the country.

In the states of Kano, Zamfara, and Sokoto, state-sanctioned hisbah boards regulated Islamic religious affairs and preaching, licensed imams, and attempted to resolve interpersonal and family disputes between Muslims in those states. They also cooperated with police in arresting individuals suspected of violating sharia. Authorities in Ogun State began a program to improve management of detainee court proceedings, including ensuring detainees were transported to court for scheduled hearings. Legal aid clinics reported some success in the FCT working with authorities to release minor detainees pending trial who were held against the law.

Arbitrary Arrest: Security personnel reportedly arbitrarily arrested numerous persons during the year, although the number remained unknown. According to reports the military arbitrarily arrested and detained – often in unmonitored military detention facilities – persons in the context of the fight against Boko Haram and ISIS-WA in the North East (see section 1.g.). In their prosecution of corruption cases, law enforcement and intelligence agencies did not always follow due process, arresting suspects without appropriate arrest and search warrants.

In May the Imo State government announced the arrest of at least 400 persons allegedly linked to violence in the South East. Amnesty International’s August investigation into the mass arrests accused the government of arbitrarily detaining citizens without cause or due process.

Security services detained journalists and demonstrators during the year (see sections 2.a. and 2.b.).

Pretrial Detention: Lengthy pretrial detention remained a serious problem. According to Nigerian Correction Service figures released in October 2020, 74 percent of the prison population consisted of detainees awaiting trial, often for years. The shortage of trial judges, trial backlogs, endemic corruption, bureaucratic inertia, and undue political influence seriously hampered the judicial

system. On April 6, the Judiciary Staff Union of Nigeria went on strike to demand financial autonomy for the judiciary at the state level. The strike ended on June 9 but resulted in significant court backlogs. COVID-19-related delays exacerbated court backlogs. In many cases, multiple adjournments resulted in years-long delays. One NGO that provided legal assistance to persons in custody reported that 20 percent of detainees had been in pretrial detention three years or longer. The NGO noted that there were few cases of individuals in pretrial detention longer than the prospective sentence. The NGO reported, however, that authorities at times charged suspects with serious crimes such as terrorism that carried long prison sentences, including life imprisonment or death sentences, that were then not substantiated at trial after long-term detention. Some detainees had their cases adjourned because the Nigeria Police Force and the Nigerian Correctional Service did not have vehicles to transport them to court. Some persons remained in detention because authorities lost their case files. Prison employees did not have effective prison case file management processes, including databases or cataloguing systems. In general the courts were plagued with inadequate, antiquated systems and procedures. In December the Federal High Court in Abuja ordered the Nigeria Police Force to pay a fine of 15 million naira (\$37,200) for keeping seven suspected Boko Haram members detained for over three years without trial. The court ordered the suspects released after the ruling.

Detainee's Ability to Challenge Lawfulness of Detention before a Court:

Detainees may challenge the lawfulness of their detention before a court and have the right to submit complaints to the National Human Rights Commission. Nevertheless, most detainees found this approach ineffective because, even with legal representation, they often waited years to gain access to a court.

e. Denial of Fair Public Trial

Although the constitution and law provide for an independent judiciary, the judicial branch remained susceptible to pressure from the executive and legislative branches. There were reports political leaders influenced the judiciary, particularly at the state and local levels. Understaffing, inefficiency, and corruption prevented the judiciary from functioning adequately. There were no continuing education requirements for attorneys, and police officers were often assigned to serve as prosecutors. Judges frequently failed to appear for trials. In addition, the salaries

of court officials were low, and officials often lacked proper equipment and training.

There was a widespread public perception that judges were easily bribed, and litigants could not rely on the courts to render impartial judgments. Many citizens encountered long delays and reported receiving requests from judicial officials for bribes to expedite cases or obtain favorable rulings. The constitution and the annual appropriation acts stipulate that the National Assembly and the judiciary be paid directly from the federation account as statutory transfers before other budgetary expenditures are made to maintain their autonomy and separation of powers. Federal and state governments, however, often undermined the judiciary by withholding funding and manipulating appointments.

Although the Ministry of Justice implemented strict requirements for education and length of service for judges at the federal and state levels, no requirements or monitoring bodies existed for judges at the local level.

The constitution provides that, in addition to common law courts, states may establish courts based on sharia or customary (traditional) law. Sharia courts functioned in 12 northern states and the FCT. Customary courts functioned in most of the 36 states. The nature of a case and the consent of the parties usually determined what type of court had jurisdiction. In the case of sharia courts, the impetus to use them over civil courts stemmed in part from perceptions of inefficiency, cost, and corruption in the common law system.

Sharia charges are only applicable to Muslims. Sharia courts operate under similar rules as common law courts including requirements for mens rea and other due process considerations.

According to the chief registrar of the Kano sharia court, defendants by law have the right to legal representation in all cases, and certain high crimes require the testimonies of at least four witnesses to be considered as admissible, corroborative evidence. The highest appellate court for sharia-based decisions is the sharia panel of the Supreme Court, staffed by common law judges who, while not required to have any formal training in sharia, often do, and they may seek advice from sharia experts.

Defendants have the right to challenge the constitutionality of sharia criminal sentences through common law appellate courts, and these courts have sometimes found for the plaintiff in cases where they have sued individual states for assault for penalties, such as flogging, imposed by sharia courts. Apostacy or heresy are not crimes in any state's sharia.

Sharia courts can hear criminal cases if both complainant and defendant are Muslim. Sharia courts may pass sentences based on the sharia penal code, including for *hudood* offenses (serious criminal offenses with punishments prescribed in the Quran) that provide for punishments such as caning, amputation, and death by stoning, although civil courts uniformly overturned these sentences on appeal.

Many in the north preferred sharia courts to their secular counterparts, especially concerning civil matters, since they were faster, less expensive, and conducted in the Hausa language.

Trial Procedures

Pursuant to constitutional or statutory provisions, defendants are presumed innocent and enjoy the rights to: be informed promptly and in detail of charges (with free interpretation as necessary from the moment charged through all appeals); receive a fair and public trial without undue delay; be present at their trial; communicate with an attorney of choice (or have one provided at public expense); have adequate time and facilities to prepare a defense; confront witnesses against them and present witnesses and evidence; not be compelled to testify or confess guilt; and appeal.

Authorities did not always respect these rights, most frequently due to a lack of capacity. Insufficient numbers of judges and courtrooms, together with growing caseloads, often resulted in pretrial, trial, and appellate delays that could extend a trial for as many as 10 years. Although accused persons are entitled to counsel of their choice, there were reportedly some cases where defense counsel was absent from required court appearances so regularly that a court might proceed with a routine hearing in the absence of counsel, except for certain offenses for which conviction carries the death penalty. If family members wanted to attend a trial,

police sometimes demanded additional payment.

Authorities held defendants in prison awaiting trial for periods well beyond the terms allowed by law (see section 1.c. and section 1.d., Pretrial Detention).

Human rights groups stated the government did not permit all terror suspects detained by the military their rights to legal representation, due process, and to be heard by a judicial authority. In previous years rights groups, including Human Rights Watch, expressed concerns regarding inadequate access to defense counsel, a lack of interpreters, and inadequate evidence leading to an overreliance on confessions. Those whose cases were dismissed reportedly remained in detention without clear legal justification. The presidency announced the arrests of 400 terrorist suspects in March. In June the deputy director of public prosecution at the Federal Ministry of Justice stated the trials for terrorist suspects would begin, but additional information on the cases or the status of the trials was not available. Human rights groups also alleged that in some cases dissidents and journalists were jailed without access to legal representation or had other rights denied, such as the right to a fair and public trial.

The Department of State Services detained Nnamdi Kanu, leader of the Indigenous People of Biafra group, which the government designated a terrorist organization in 2017, on 11 charges including treason, terrorism, and illegal possession of firearms. In 2017 Kanu fled abroad after skipping bail. Kanu was arrested in June in a foreign country and remanded to Nigeria. Kanu's lawyer claimed he was not allowed to see his client for several weeks in July but reported having access to him after August 2. Press access was restricted to the trial due to security and COVID-19 concerns (see section 2.a). At year's end Kanu's trial was ongoing.

Women and non-Muslims may testify in civil or criminal proceedings and give testimony that carries the same weight as testimony of other witnesses. Sharia courts, however, usually accorded the testimony of women and non-Muslims less weight than that of Muslim men. Some sharia court judges allowed different evidentiary requirements for male and female defendants to prove adultery or fornication. Pregnancy, for example, was admissible evidence of a woman's adultery or fornication in some sharia courts.

Military courts tried only military personnel, but their judgments could be appealed to civilian courts. The operational commanding officer of a member of the armed forces must approve charges against that member. The commanding officer decides whether the accusation merits initiation of court-martial proceedings or lower-level disciplinary action. Such determinations are nominally subject to higher review, although the commanding officer makes the final decision. If the case proceeds, the accused is subject to trial by court-martial. The law provides for internal appeals before military councils as well as final appeal to a civilian court of appeals.

Defendants have the right to challenge the constitutionality of sharia criminal statutes through the common law appellate courts. On January 21, the Federal Court of Appeal in Kano vacated the verdict and death sentence of Yahaya Sharif-Aminu, convicted of blasphemy by a sharia court in August 2020, and overturned and acquitted the blasphemy conviction and 10-year prison sentence of 17-year-old Umar Farouq. The Kano Federal Court of Appeal remanded Sharif-Aminu's case back to the Sharia court citing procedural "irregularities." Sharif-Aminu remained detained awaiting a new trial at year's end (see Section 2.a., Freedom of Expression).

Political Prisoners and Detainees

On July 28, the Kaduna High Court discharged and acquitted Islamic Movement of Nigeria sheikh Ibrahim El-Zakzaky and his wife, Zeenah, of alleged culpable homicide relating to the incidents that led to the army's killing of nearly 300 of his supporters in Zaria, Kaduna State, in 2015. After nearly six years of pretrial detention, El-Zakzaky and his wife were released from state custody and taken to an undisclosed location in Abuja by their family and followers. The Kaduna State government retained the option to appeal the decision.

Civil Judicial Procedures and Remedies

The constitution and law provide for an independent judiciary in civil matters, but the executive and legislative branches, as well as business interests, at times exerted influence and pressure in civil cases. Official corruption and lack of will to implement court decisions also interfered with due process. The law provides for

access to the courts for redress of grievances, and courts may award damages and issue injunctions to stop or prevent a human rights abuse, but the decisions of civil courts were difficult to enforce.

Property Seizure and Restitution

State and local governments forcibly evicted some residents and demolished their homes, often without sufficient notice or alternative compensation, and sometimes in violation of court orders. In June the New Towns Development Authority, a development arm of the Lagos State government, faced accusations of forcibly razing homes and evicting residents of the Oke-Igan neighborhood without proper compensation.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law prohibits arbitrary interference, but authorities reportedly infringed on this right during the year, and at times police entered homes without judicial or other appropriate authorization. In their pursuit of corruption cases, law enforcement agencies allegedly carried out searches and arrests without warrants.

The government blocked websites, including Twitter (see section 2.a, Censorship and Content Restrictions). In January the news website *Peoples Gazette* was blocked by several mobile internet services. The editor of the website alleged the government had ordered the blocking after the website in October 2020 criticized the competence of the government. The website remained blocked at year's end.

The NGO Freedom House reported that several government agencies purchased spyware that allowed them to monitor cell phone calls, texts, and geolocation.

g. Conflict-related Abuses

The insurgency in the North East by the militant terrorist groups Boko Haram and the ISIS-WA continued. The groups conducted numerous attacks on government and civilian targets, resulting in thousands of deaths and injuries, widespread destruction of property, internal displacement of more than three million persons, and external displacement of more than 327,000 Nigerian refugees as of the year's

end. Boko Haram and ISIS-WA attacked population centers, security personnel, and international organization and NGO personnel and facilities in Borno State. These groups targeted persons perceived as disagreeing with the groups' political or religious beliefs or interfering with their access to resources. ISIS-WA terrorists demonstrated increased ability to conduct complex attacks against military outposts and formations. During the year ISIS-WA terrorists took over significant territory formerly held by Boko Haram. ISIS-WA expanded efforts to implement shadow governance structures in large swaths of Borno State.

Killings: On September 15, the air force reportedly killed 10 civilians during an errant aerial strike against ISIA-WA and Boko Haram militants in Yobe State. The air force launched an investigation into the strike and subsequently took responsibility for errantly killing civilians. The local government announced it would provide monetary compensation to victims' families and medical care to those wounded during the strike.

Violence surged in the South East following the Indigenous People of Biafra's launch of its military wing, the Eastern Security Network, in December 2020. In the first quarter of the year, local media reported 54 violent attacks on civilians and security forces and 222 deaths, representing a 59 percent and 344 percent increase, respectively, compared with the quarter prior to the Eastern Security Network's establishment. On August 5, Amnesty International issued a statement alleging security forces including the military, police, and Department of State Services killed at least 115 persons in the South East between March and June as part of security operations against the separatist Indigenous People of Biafra movement and its armed wing, the Eastern Security Network.

According to Attorney General Malami's public announcement on October 22, the Indigenous People of Biafra movement together with its militant wing, the Eastern Security Network, were responsible for the deaths of more than 175 security personnel and attacks on 164 police stations in the South East. The Eastern Security Network/Indigenous People of Biafra have consistently denied responsibility for the attacks and South East-based government officials raised the possibility that some of the attacks were politically motivated or perpetrated by criminals seeking to take advantage of a state of insecurity in the region.

On May 19, ISIS-WA fighters attacked Boko Haram strongholds in the Sambisa Forest, leading to the death of Abubakar Shekau, the leader of Boko Haram.

On September 24, ISIS-WA militants killed at least eight Nigerian soldiers and wounded at least eight others during a rocket attack as the soldiers traveled between Dikwa and Marte in Borno State.

Abductions: While some NGO reports estimated the number of Boko Haram and ISIS-WA abductees at more than 2,000, the total count of the missing was unknown as towns repeatedly changed hands, and many families were still on the run or dispersed in camps for internally displaced persons (IDPs). Many abductees managed to escape captivity, but precise numbers remained unknown.

Approximately 110 girls abducted by Boko Haram from the Chibok Government Girls Secondary School in 2014 remained in captivity. In August two more Chibok girls returned with the men they were forced to marry in captivity and their children as part of a group of Boko Haram fighters who surrendered. Leah Sharibu remained the only student from the 2018 kidnapping in Dapchi in ISIS-WA captivity, reportedly because she refused to convert to Islam from Christianity.

In the North West region, militia groups and criminal networks caused systemic degradation of security across vulnerable communities in the region. Their tactics included large scale kidnapping for ransom operations targeting youth at boarding schools (see section 1.b.).

Physical Abuse, Punishment, and Torture: There were reports that security services used excessive force in the pursuit of Boko Haram and ISIS-WA suspects, at times resulting in arbitrary arrest, detention, or torture.

Arbitrary arrests reportedly continued in the North East, and authorities held many individuals in poor conditions. There were reports some of the arrested and detained included children believed to be associated with Boko Haram, some of whom may have been forcibly recruited.

Amnesty International reported security forces in the South East also tortured and arbitrarily arrested scores of persons. The report cited eyewitness accounts of security agencies using “excessive force, physical abuse, secret detentions,

extortion....and extrajudicial executions of suspects.” Police and army spokesmen did not comment on the information set out in the report.

Sexual exploitation and abuse were a concern in IDP camps, informal camps, and local communities in and around Maiduguri, the Borno State capital, and across the North East. A 2020 UN secretary-general report stated that nine girls were reportedly raped by terrorists and one girl by a member of the Civilian Joint Task Force between 2017 and 2019. There was no additional information on investigations or prosecutions of the cases.

Boko Haram and ISIS-WA engaged in widespread sexual and gender-based violence against women and girls, including rape and forced marriage. Those who escaped, or whom security services or vigilante groups rescued, faced ostracism by their communities and had difficulty obtaining appropriate medical and psychosocial treatment and care.

Child Soldiers: There were no reports that the military used child soldiers during the year.

Reports indicated that the military coordinated closely on the ground with the Civilian Joint Task Force. The Civilian Joint Task Force and United Nations continued work to implement a 2017 action plan to end and prevent the recruitment and use of children. As of September, according to international organizations, there were no verified cases of recruitment and use of child soldiers by the Civilian Joint Task Force during the year, and the United Nations delisted the Civilian Joint Task Force as an armed group recruiting and using children in October. Some demobilized former child soldiers were awaiting formal reintegration into communities. The government did not officially adopt the handover protocol to refer children identified in armed conflict to civilian care providers, although observers reported authorities implemented key aspects of the handover protocol during the year.

Children (younger than 18) participated in Boko Haram and ISIS-WA attacks. The group paid, forcibly conscripted, or otherwise coerced young boys and girls to serve in its ranks and conduct attacks and raids, plant improvised explosive devices (IEDs), serve as spies, and carry out IED bombings, often under the influence of

drugs. Also see the Department of State’s annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Other Conflict-related Abuse: Attacks by ISIS-WA on humanitarian assistance convoys and aid workers reduced the provision of assistance to IDPs and local communities in the North East. In January Borno State’s capital of Maiduguri lost electrical power due to a series of ISIS-WA attacks on power transmission lines; power had not been restored as of year’s end.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

Although the constitution and law provide for freedom of expression, including for members of the press and other media, in some cases the government restricted these rights.

Freedom of Expression: The constitution entitles every individual to “freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference.” There were reported cases in which the government abridged the right to speech and other expression. Authorities in Kano State arrested individuals for blasphemy or incitement through contempt of religious creed, which some critics attested was a restriction of free speech.

Freedom of Expression for Members of the Press and Other Media, Including Online Media: A large and vibrant private domestic press frequently criticized the government, but critics reported at times being subjected to threats, intimidation, arrest, detention, and sometimes violence (see also section 1.e., Trial Procedures, trial of Nnamdi Kanu).

In July the Federal High Court in Abuja announced it would only accredit 10 media organizations to cover the trial of Nnamdi Kanu, the leader of the Indigenous People of Biafra, due to security and COVID-19-related concerns. Media organizations protested the decision as an attempt to restrict freedom of the press and circumscribe Kanu’s right to a fair, public trial (see section 1.g.).

Violence and Harassment: There were reports that security services detained and harassed journalists, sometimes for reporting on sensitive problems such as political corruption and security. Security services including the Department of State Services and police occasionally arrested and detained journalists who criticized the government.

In an interview in March on the BBC Hausa language service, Kano State governor Abdullahi Ganduje threatened journalists who produced a series of videos in 2018 alleging he received bribes. Jaafar, publisher of the *Daily Nigerian* which aired the videos, left the country in May due to alleged threats to his life.

On April 30, police arrested Sunday Ode, a correspondent with the *People's Daily* newspaper, allegedly on the orders of Governor Samuel Ortom of Benue State. Police arrested Ode after he allegedly signed a statement critical of the governor's handling of the security situation in Benue State. Ode was transported from Abuja to Benue State, where he was released on bail the next day.

On May 10, police arrested and detained six newspaper vendors in Imo State for selling papers that allegedly contained articles on the Indigenous People of Biafra, which the government designated a terrorist organization in 2017.

On June 19, unknown gunmen killed Titus Badejo, a radio presenter with Naija FM in Ibadan, Oyo State, while he was leaving a club with friends. According to media reports, the gunmen told Badejo and his friends to lie on the ground. They shot only Badejo and took nothing from the others. Observers believed Badejo was likely targeted due to his reporting. There were no updates on the case at year's end.

On June 24, operatives of the Department of State Services and police assaulted Friday Olokor, chief correspondent with *Punch Nigeria* newspapers, and seized the cell phone of Patience Ihejiika of Leadership Newspapers. Security officers deleted videos from her cell phone, including of the assault on Olokor.

On October 20, according to the Committee to Protect Journalists (CPJ), police assaulted two journalists filming protests at the Lekki Toll Gate memorial and briefly detained them. The CPJ stated that police assaulted Sikuru Obarayese, a reporter for the *Daily Post* newspaper, detained and charged him with breach of

peace, but then later withdrew the charges. Later police assaulted Abisola Alawode, a video editor for the *Legit* website. He was detained but released after five hours. Police also forcibly removed broadcast Arise TV correspondent Adefemi Akinsanya from the site after she used a drone to film a protest. Lagos State police commissioner Hakeen Odumosu later apologized for officers' treatment of Alawode and Akinsanya.

In July the ECOWAS Court of Justice ordered the federal government to pay journalist Agba Jalingo 30 million naira (\$74,500) as compensation for mistreatment and torture while held in pretrial detention without charge in Cross River State in 2019 by the now-defunct Special Anti-Robbery Squad (SARS).

Censorship or Content Restrictions: The government controlled much of the television and radio programming through the National Broadcasting Commission, which is responsible for monitoring and regulating broadcast media. The law prohibits local television stations from transmitting programming from other countries except for special religious programs, sports programs, or events of national interest. Cable and satellite transmission was less restricted. For example, the National Broadcasting Commission permitted live transmission of foreign news and programs on cable and satellite networks, but the networks were required to dedicate 20 percent of their programming time to local content.

On June 4, the government announced it had indefinitely suspended Twitter's activities in the country because of the "persistent use of the platform for activities that are capable of undermining Nigeria's corporate existence." On June 2, Twitter removed a June 1 post from President Buhari's official Twitter account and announced it was suspending his account for 12 hours for violating Twitter's "abusive behavior" policy. Buhari's tweet on June 2 referenced the Biafra civil war that killed one million persons, warning "those misbehaving" in the South East that "those of us...who went through the war, will treat them in the language they understand." At year's end Twitter remained suspended as the government and the social media company negotiated the preconditions for unblocking the platform.

The government used regulatory oversight at times to restrict press freedom, notably clamping down on television and radio stations. In April the National Broadcasting Commission fined Channels Television and the Inspiration FM radio

station five million naira (\$12,400) each for featuring interviews with members of the Indigenous People of Biafra on their stations in violation of the law. Media outlets often perceived these fines as an effort to silence them on sensitive topics.

Some journalists reported they practiced self-censorship. Journalists and local NGOs claimed security services intimidated journalists, including editors and owners, into censoring reports perceived to be critical of the government.

Libel/Slander Laws: Defamation is a criminal offense carrying a penalty of imprisonment for up to two years and possible fines. There were defamation lawsuits against journalists and politicians during the year. In September Benue State governor Samuel Ortom filed a defamation lawsuit against George Akume, the minister of special duties and intergovernmental affairs and former governor of Benue State. In October the Benue State High Court dismissed a defamation lawsuit filed by Governor Ortom in 2018 against the Benue State speaker of the house.

In January a Kano State High Court acquitted 17-year-old Omar Farouq, whom a Kano sharia court had convicted of blasphemy in 2020. The High Court ruled that Farouq lacked adequate legal representation during his sharia court trial, which resulted in a 10-year prison sentence. Also in January the Kano High Court remanded to the same Kano sharia court the case of Yahaya Sharif-Aminu, whom the sharia court had convicted of blasphemy against Islam and sentenced to death in 2020. The High Court ordered a new trial, citing a lack of evidence presented in the first one. The verdict was being appealed by year's end.

In February Kano State authorities banned popular cleric sheikh Abduljabbar Nasiru-Kabara from preaching based on complaints his sermons would disturb the peace. After participating in a televised three-hour debate in which he expounded on his religious views, Kano State authorities charged Nasiru-Kabara with blasphemy over statements he made during the broadcast that they declared insulted Islam. Authorities also ordered the closure of his mosque and affiliated religious schools and prevented his followers from protesting and carrying out the community's annual Mauqibi religious festival procession.

On June 22, the Kano State prosecutor charged Mubarak Bala, president of the

Nigerian Humanist Association, on 10 counts of “caus[ing] breach of public peace,” a common law crime of incitement. After Bala posted controversial statements that mocked Islam and Muslims on Facebook for several successive days in April 2020, police arrested him at his home in Kaduna State and transferred him to Kano State where police imprisoned him without charge. In accordance with the law prior to the Amendments to the Police Act of 2020, which took effect in October, police did not inform the prosecutor and failed to charge Bala immediately. In December 2020 the High Court ordered Bala’s release, but Kano State authorities did not release him, reportedly because the court directed the release decree to the Nigerian Police Force and the federal attorney general, rather than to the Kano State attorney general responsible for his custody. Bala’s attorneys, NGOs, secular humanist groups, and others stated that they believed Bala was arrested for expressing his comments on Islam. Bala remained in detention at year’s end.

National Security: At times the government restricted or otherwise instructed media to refrain from reporting on sensitive topics related to national security. On July 7, the National Broadcasting Commission issued an advisory letter to journalists and media organizations entitled *Newspaper Reviews and Current Affairs Programmes: A Need for Caution* that asked media to refrain from reporting “too many details” of security operations and to cease “glamorising the nefarious activities of insurgents, terrorists, kidnappers, bandits, etc.” On July 21, the Nigerian Guild of Editors issued a statement calling the commission’s letter “a subtle threat to free press, freedom of expression, access to information, and a victims’ right to justice.”

Internet Freedom

The NGO Freedom House reported that internet providers sometimes blocked websites at the request of the Nigerian Communications Commission, particularly websites advocating independence for Biafra in the South East. On September 4, press outlets reported that the Nigerian Communications Commission asked telecommunications companies, at the request of security services, to block service in Zamfara State for two weeks to allow targeted operations against armed criminals in the state (see also section 1.f., Arbitrary Interference with Privacy, Family, Home, or Correspondence as well as Censorship and Content Restrictions

above). The service outage lasted for several months. The state government announced that it would lift the restrictions in late November.

Telecommunications shutdowns also occurred in Kaduna, Katsina, and Sokoto states, with reports that some of the restrictions were still in place at year's end.

Civil society organizations and journalists expressed concern regarding the broad powers provided by the law regarding cybercrime. Some local and state governments used the law to arrest journalists, bloggers, and critics for alleged hate speech. In August 2020 authorities in Akwa Ibom State arrested journalist Ime Sunday Silas following his publication of a report, *Exposed: Okobo PDP Chapter Chair Links Governor Udom's Wife with Plot to Blackmail Deputy Speaker*. Authorities charged Silas with "cyberstalking." While his case was thrown out in late 2020 by the Federal High Court, in March Silas received notice that he had failed to appear in court. His case remained pending at year's end. The law on cybercrimes had yet to be fully tested in the courts. Legislative interest and calls for regulating social media increased due to concerns that social media played a role in accelerating rural and electoral violence.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedoms of Peaceful Assembly and Association

The constitution and law provide for rights to freedom of peaceful assembly and association, but the government limited these rights.

Freedom of Peaceful Assembly

The constitution and law provide for freedom of assembly. The government occasionally banned and targeted gatherings when it concluded their political, ethnic, or religious nature might lead to unrest. The government put limitations on public gatherings, including temporary bans on congregational worship services in some states, in response to COVID-19.

Members of a political organization affiliated with Shia Islam, the Islamic Movement of Nigeria, carried out a series of protests across the country in

response to the continued detention of their leader, Ibrahim El-Zakzaky. On July 28, the court acquitted and released El-Zakzaky and his wife Zeenah Ibrahim.

In areas that experienced societal violence, police and other security services permitted public meetings and demonstrations on a case-by-case basis. Security services sometimes used excessive force to disperse demonstrators (see sections 1.a. and 1.c.).

Freedom of Association

The constitution and law provide for the right to associate freely with other persons in political parties, trade unions, or other special interest organizations. While the government generally respected this right, on occasion authorities abrogated it for some groups. In 2017 the government designated Indigenous People of Biafra a terrorist organization. In 2019 it also designated the Islamic Movement of Nigeria as a terrorist organization.

The law effectively renders illegal all forms of activity supporting or promoting lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) rights. The law criminalizes the registration, operation, or participation in so-called gay clubs, societies, or organizations and further prohibits any support to such organizations (see section 6). Rights groups reported the law had a significant chilling effect on free association.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>

d. Freedom of Movement and the Right to Leave the Country

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, but security officials restricted freedom of movement at times by imposing curfews in areas experiencing terrorist attacks and ethnic violence.

In-country Movement: Federal, state, or local governments imposed curfews or otherwise restricted movement in Adamawa, Borno, and Yobe states in connection

with operations against Boko Haram and ISIS-WA. Other states imposed time-bound curfews in reaction to specific threats and attacks, and rural violence.

Police conducted “stop and search” operations in cities and on major highways and, on occasion, set up checkpoints. In response to COVID-19, the federal and state governments each instituted curfews that varied throughout the year.

Foreign Travel: Despite their release from prison in July, the government did not return the passports of Islamic Movement of Nigeria leader Ibrahim El-Zakzaky and his wife, Zeenah Ibrahim. El-Zakzaky sued the Department of State Services and the attorney general in October, demanding the release of the passports. The suit remained pending at year’s end.

e. Status and Treatment of Internally Displaced Persons

As of December the Office of the UN High Commissioner for Refugees (UNHCR) reported there were more than three million persons displaced in the Lake Chad Basin region. Insurgency was the reason for the vast majority of displacements, followed by communal clashes.

Access to farmland remained a problem for IDPs in the North East, particularly for those living with host communities. Many IDPs with access to farmland were told by the military to refrain from planting taller crops for security reasons.

Distribution of fertilizers to areas with some farming opportunities was restricted due to the military’s suspicion that fertilizers such as urea could be used for military purposes.

IDPs, especially those in the North East, faced severe protection problems, including sexual abuse of women and girls by a wide range of perpetrators (see section 1.g.). Gender-based violence was reported in IDP and refugee camps. Without providing statistics, observers reported the National Agency for the Prohibition of Trafficking in Persons investigated allegations of human trafficking of females in IDP camps, in coordination with Ministry of Defense zonal commanders. Security services continued to arrest and detain suspected Boko Haram and ISIS-WA members at IDP camps and in host communities, sometimes arbitrarily and with insufficient evidence, and restricted family access to detainees. Other protection concerns included terrorist attacks or bombings, lack of

accountability and diversion of humanitarian aid, sexual assault, drug abuse, hostility and insecurity, harassment of women and girls, and lack of humanitarian assistance for host communities.

The government did not always promote the safe, voluntary, and dignified return, resettlement, or integration of IDPs. During the year the Borno State government began the process to return more than 80,000 IDPs residing in and around Maiduguri to their places of origin or resettle them in a third location. The Borno State government did not always include international humanitarian actors in the planning or implementation of returns actions, at times promoted the option of moving IDPs back to insecure areas, and sometimes returned IDPs to areas without adequate services and support mechanisms.

The government at times restricted humanitarian NGOs' or international organizations' access to IDPs. The military prohibited humanitarian organizations from delivering assistance outside of areas under its direct control due to increasing insecurity and Boko Haram and ISIS-WA targeting of humanitarian convoys. The Borno State government also required humanitarian actors to notify it in advance of movements within accessible areas and travel with military escorts along certain routes. Inaccessibility to areas of return due to control by Boko Haram and ISIS-WA also created severe protection concerns for many civilians and assistance agencies.

NGOs reported having insufficient resources available to assist IDP victims of sexual and gender-based violence, who had limited access to safe, confidential psychosocial counseling and medical services or safe spaces. Women and girls abducted by Boko Haram and ISIS-WA as well as the children born as a result of rape during their captivity, faced stigmatization and community isolation.

f. Protection of Refugees

The government cooperated with UNHCR and other humanitarian organizations in assisting refugees, returning refugees, or asylum seekers, as well as other persons of concern through the National Commission for Refugees, Migrants, and IDPs.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

Refoulement: The government continued to work through a tripartite agreement with UNHCR and Cameroon signed in 2017 to ensure that any Nigerian refugees in Cameroon returning to the country were fully informed and gave their consent. There were no known reports of government refoulements during the year. Nevertheless, the return of refugees was sometimes uninformed or dangerous, according to some humanitarian organizations.

Access to Basic Services: Legal documentation, such as birth certificates, national identity cards, certificates of indigenes, and voter registration, are the key civil documentation to prove state of origin and nationality. They are also necessary to access services such as health care and education. UNHCR reported in August 2020 that ineffective and nonexistent civil registration and identification management systems in areas hosting IDPs, refugees, and returnees remained a concern. Some refugees faced difficulties obtaining work and accessing basic services like health care even after receiving legal documentation. For refugees, even when civil documents were obtained, community members and local officials were sometimes unaware of their legal rights or standing, which could also prevent them from moving freely, obtaining work, or accessing health care.

Temporary Protection: The government provided temporary protection to a few hundred individuals who might not qualify as refugees.

g. Stateless Persons

The government does not require birth registration, and the majority of births were unregistered. The *2018 Nigeria Demographic and Health Survey*, the most recent source of data available, found that only 42 percent of births of children younger than five were registered. Most persons did not become stateless because of their lack of birth registration; however, there were some reported cases where the government denied individuals citizenship because they did not have a birth registration and did not have another way to prove their citizenship.

Section 3. Freedom to Participate in the Political Process

The law provides citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage and conducted by secret

ballot.

Elections and Political Participation

Recent Elections: The Independent National Electoral Commission is the independent electoral body responsible for overseeing elections by regulating the process and preventing electoral misconduct. In 2019 the electoral commission conducted the presidential election, National Assembly elections, state houses of assembly elections, and local elections in all 36 states plus the FCT, as well as gubernatorial elections in 30 states. During the year the electoral commission conducted by-elections to fill multiple vacant seats in the National Assembly and state houses of assembly. Anambra State held off-cycle gubernatorial elections on November 6. The election faced procedural challenges, but election day was peaceful, and observers and NGOs agreed the result reflected the will of the voters.

Political Parties and Political Participation: The constitution and law allow the free formation of political parties. As of November there were 18 parties registered with the Independent National Electoral Commission. The constitution requires political party sponsorship for all election candidates.

Participation of Women and Members of Minority Groups: No laws limit participation of women or members of minority groups in the political process. Observers attributed fewer leadership opportunities for women in major parties and government, particularly in the north, to religious and cultural barriers. The number of female candidates was disproportionately low. There were no known openly LGBTQI+ political candidates. Although the Independent National Electoral Commission introduced assistive materials, including braille ballot guides and sign language interpreters' manuals, the accessibility of polls for persons with disabilities remained poor (see section 6). Less than 4 percent of those elected in the 2019 general elections were women. Only 12 percent of the 6,300 candidates for the National Assembly's House of Representatives and Senate were women, and women won only 17 of the 469 National Assembly seats. The situation was similar in the 36 state houses of assembly and 774 local government councils. Women's participation dropped from a high of 8 percent of National Assembly members elected in 2007 to 4 percent in 2019.

Section 4. Corruption and Lack of Transparency in Government

Although the law provides criminal penalties for conviction of official corruption, the government did not consistently implement the law, and government employees, including elected officials, frequently engaged in corrupt practices with impunity. Massive, widespread, and pervasive corruption affected all levels of government, including the judiciary and security services. The constitution provides immunity from civil and criminal prosecution for the president, vice president, governors, and deputy governors while in office. There were numerous allegations of government corruption during the year.

Corruption: The Independent Corrupt Practices Commission holds broad authority to prosecute most forms of corruption. The Economic and Financial Crimes Commission's writ extends only to financial and economic crimes.

On February 16, President Muhammadu Buhari nominated Abdulrasheed Bawa to replace Ibrahim Magu as head of the Economic and Financial Crimes Commission. Bawa, a 17-year veteran of the commission, was the first chairman without a background in the Nigerian Police Force. The bulk of the Independent Corrupt Practices Commission and Economic and Financial Crimes Commission's anticorruption efforts remained focused on low- and mid-level government officials, although both organizations brought indictments against various active and former high-level government officials. Many of the corruption cases, particularly the high-profile ones, remained pending before the courts due to administrative or procedural delays.

In January the assistant commissioner of police, Okubo Aboye, was sentenced to life in prison for accepting bribes in a high-profile kidnapping case in Ekiti State.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Domestic and international human rights groups generally operated without

government restriction, investigating and publishing their findings on human rights cases. Government officials sometimes cooperated and responded, but generally either dismissed allegations, did not provide a substantive response, or did not publicize any investigation they conducted. In the North East, there were reports that the military threatened NGOs and humanitarian organizations after aid provided by these organizations purportedly reached insurgent groups. State governments accused international NGOs of profiting from the conflict and aiding and abetting the insurgencies. In April the government ordered the international NGO Agency for Technical Cooperation and Development to suspend operations after it reportedly carried out firearm training in Borno State.

Government Human Rights Bodies: The law establishes the National Human Rights Commission as an independent nonjudicial mechanism for the promotion and protection of human rights. The commission monitors human rights through its zonal affiliates in the country's six political regions. The commission is mandated to investigate allegations of human rights abuses and publishes periodic reports detailing its findings, including torture and poor prison conditions, but served more in an advisory, training, and advocacy role. During the year there were no reports of its prior investigations having led to accountability. The law provides for recognition and enforcement of damages awarded to plaintiffs, but it was unclear whether this happened.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: Federal law addresses sexual violence, physical violence, psychological violence, harmful traditional practices, and socioeconomic violence. The law cites spousal battery, forceful ejection from the home, forced financial dependence or economic abuse, harmful widowhood practices, female genital mutilation/cutting (FGM/C), other harmful traditional practices, substance attacks (such as acid attacks), political violence, and violence by state actors (especially government security forces) as offenses. Victims and survivors of violence are entitled by law to comprehensive medical, psychological, social, and legal assistance by accredited service providers and government agencies, with their identities protected during court cases, although during the year these services

were often limited. As of September, 20 of the country's 36 states (Abia, Akwa Ibom, Delta, Jigawa, Kwara, Nasarawa, Ondo, Kaduna, Anambra, Oyo, Benue, Ebonyi, Edo, Ekiti, Enugu, Osun, Cross River, Lagos, Plateau, and Bauchi) and the FCT had adopted the federal law. State-level implementation remained limited as states struggled to ensure effective implementation.

The law criminalizes rape, but it remained widespread. According to the *2018 Nigeria Demographic and Health Survey*, approximately 31 percent of women between ages 15 and 49 had experienced some form of physical violence and 9 percent had experienced sexual violence. In February police announced that in 2020 it arrested more than 2,790 suspects of sexual and gender-based violence. In April the minister of women's affairs announced that 3,491 sexual and gender-based violence cases were reported in 2020. As of April, 11 of these cases had resulted in a conviction, 188 cases were closed, and 742 cases remained open.

Sentences for persons convicted of rape and sexual assault were inconsistent and often minor. Federal law provides penalties for conviction ranging from 12 years' to life imprisonment for offenders older than 14 and a maximum of 14 years' imprisonment for all others. It also provides for a public register of convicted sexual offenders and appointment of protection officers at the local government level to coordinate with courts and provide for victims to receive various forms of assistance (e.g., medical, psychosocial, legal, rehabilitative, and for reintegration) provided by the law. The law also includes provisions to protect the identity of rape victims and a provision empowering courts to award appropriate compensation to survivors of rape. Because the relevant federal law had not been adopted in all states, state law continued to govern most rape and sexual assault cases and typically allowed for lesser sentences. While some, mostly southern, states enacted laws prohibiting some forms of gender-based violence or sought to safeguard certain rights, most states did not have such legislation. Survivors generally had little or no recourse to justice. In September 2020 Kaduna State enacted laws increasing the maximum penalty for rape to include sterilization and the death penalty. The Kaduna state law provides for up to three years' imprisonment, a monetary fine, or both for conviction of spousal battery. It also authorizes courts to issue protection orders upon application by a victim and directs the appointment of a coordinator for the prevention of domestic violence to

submit an annual report to the federal government.

Domestic violence remained widespread, and many considered it socially acceptable. A 2019 survey on domestic violence found that 47 percent of female respondents had suffered from domestic violence or knew someone who had; 82 percent of respondents indicated that violence against women was prevalent in the country.

Police often refused to intervene in domestic disputes or blamed the victim for provoking the abuse. In rural areas courts and police were reluctant to intervene to protect women who formally accused their husbands of abuse if the level of alleged abuse did not exceed local customary norms.

Female Genital Mutilation/Cutting (FGM/C): UNICEF estimated that almost 20 million girls in the country had undergone FGM/C between 2004 and 2015. The southern part of the country accounted for the majority of reported FGM/C cases, with high rates in the South West and the South South regions. Federal law criminalizes female circumcision or genital mutilation, but there were few reports that the government took legal action to curb the practice. The law penalizes persons performing female circumcision or genital mutilation or anyone aiding or abetting such a person. Enforcement of the law was rare. The federal government launched a revised national policy on the elimination of FGM/C for 2020-2024.

The *2018 Nigeria Demographic and Health Survey* found that 20 percent of women ages 15 to 49 had undergone FGM/C. While 13 of 36 states banned FGM/C, once a state legislature had criminalized FGM/C, NGOs found they had to convince local authorities that state laws applied in their districts.

Other Harmful Traditional Practices: According to the law, any person convicted of subjecting another person to harmful traditional practices may be punished with up to four years' imprisonment, a monetary fine, or both. Anyone convicted of subjecting a widow to harmful traditional practices is subject to two years' imprisonment, a monetary fine, or both. For purposes of the law, a harmful traditional practice means all traditional behavior, attitudes, or practices that negatively affect the fundamental rights of women or girls, including denial of inheritance or succession rights, FGM/C, forced marriage, and forced isolation

from family and friends.

Despite the federal law, *pardah*, the cultural practice of secluding women and pubescent girls from unrelated men, continued in parts of the north.

“Confinement,” which occurred predominantly in the North East, remained the most common rite of deprivation for widows. Confined widows were subject to social restrictions for as long as one year and usually shaved their heads and dressed in black as part of a culturally mandated mourning period. In other areas communities viewed a widow as a part of her husband’s property to be “inherited” by his family. In some traditional southern communities, widows fell under suspicion when their husbands died. To prove their innocence, they were forced to drink the water used to clean their deceased husbands’ bodies.

Sexual Harassment: Sexual harassment remained a common problem. No statutes prohibit sexual harassment, but assault statutes provide for prosecution of violent harassment. The law criminalizes stalking. The law also criminalizes emotional, verbal, and psychological abuse and acts of intimidation.

The practice of demanding sexual favors in exchange for employment or university grades remained common. Women suffered harassment for social and religious reasons in some regions.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Couples and individuals have the legal right to decide freely and responsibly the number, spacing, and timing of children, to have the information and means to do so, and the ability to attain the highest standard of sexual and reproductive health, including the ability to make decisions concerning reproduction free from discrimination, coercion, and violence. Many couples and individuals did not have access to the information and the means to exercise this right. Traditional practices often hampered a woman’s choice on family size. Information on reproductive health and access to quality reproductive health services and emergency obstetric care were not widely available. The UN Population Fund reported that as of 2020, only 46 percent of married or in-union women were free to make their own informed decisions in all three categories of reproductive health care, contraceptive

use, and sexual relations.

Cultural and religious views across regions affected access to reproductive services, especially contraceptive use. Not all primary health centers provided free family planning services. The National Health Insurance Scheme did not always cover family planning services. Health insurance covered family planning counseling but not contraceptives. Conversations regarding sex and sexuality issues were taboo in many places, posing a barrier for access for youth who might need services and information from health-care providers.

In some states health-care workers frequently required women to provide proof of spousal consent prior to accessing contraceptives. Pediatricians provided primary care for adolescents through 18 years of age. Adolescent-friendly reproductive health services and interventions were usually not provided within the health system. Pregnant girls were generally not allowed to attend school (see section 6, Children, Education).

Low literacy and low economic empowerment among couples hampered effective access to skilled health attendance during pregnancy and delivery. Government insurance policies sometimes provided for free antenatal services. The 2018 *Nigeria Demographic and Health Survey* reported that 67 percent of women ages 15 to 49 received antenatal care from a skilled provider during pregnancy and 39 percent of live births took place in a health care facility.

Lack of access to primary health care facilities in rural and hard-to-reach areas with poor transportation and communications infrastructure impacted access to antenatal care and skilled birth delivery. The cost of services was also a barrier. Gender roles limited access to maternal health services; women who were financially or socially dependent on men might be unable to access health care without seeking consent from their spouses.

In the northern part of the country, societal and cultural norms played a role in stopping women from leaving the house unaccompanied or accessing reproductive health services. Some women also preferred to deliver their babies using traditional birth attendants because of the belief they could prevent spiritual attacks and due to the affordability of their services.

The government received support from donors to provide access to age-appropriate sexual and reproductive health services for survivors of sexual violence in all 36 states and the FCT. Sexual violence survivors who sought and had access to care received a minimum package of care, including counseling for trauma, that met the overall physical, emotional, safety, and support needs of survivors. Other care included HIV testing services, provision of post-exposure prophylaxis (within 72 hours), pre-exposure prophylaxis for HIV-negative clients, antiretroviral services for HIV-positive clients, provision of emergency contraceptives (within 120 hours), testing and treatment for sexually transmitted diseases, legal support where required, and other services, such as referrals for longer term psycho-social support and economic-empowerment programs.

Emergency health care services were mostly executed by private hospitals. Post-abortion care was limited.

A program supported by international donors encouraged early acceptance of family planning in communities to ensure that young adults were protected and could meet their reproductive goals.

The 2018 *Nigeria Demographic and Health Survey* reported a maternal mortality rate of 512 deaths per 100,000 live births due to factors including lack of access to antenatal care, skilled birth attendants, emergency obstetric care, and other medical services. According to the survey, 67 percent of births in 2018 were attended by skilled health personnel.

According to the 2018 *Nigeria Demographic and Health Survey*, 12 percent of women used modern methods of contraception, nearly 19 percent of all surveyed women stated they had an unmet need for family planning, and 24.5 percent of women stated that they wanted no more children. The UN Population Division estimated that 17 percent of girls and women, ages 15 to 49, used a modern method of contraception. As of 2018, the *Nigeria Demographic and Health Survey* reported that 14 percent of women, ages 15 to 19, had given birth before the age of 18.

The law prohibits FGM/C (see the FGM/C subsection above for additional information).

Discrimination: Although the constitution provides the same legal status and rights for women as for men, and there were no known legal restrictions on women's working hours or jobs deemed too dangerous for women, there were limitations on women's employment in certain industries such as construction, energy, and agriculture. Women experienced considerable economic discrimination. The law does not mandate equal remuneration for work of equal value, nor does it mandate nondiscrimination based on gender in hiring.

Women generally remained marginalized. No laws prohibit women from owning land, but customary land tenure systems allowed only men to own land, with women gaining access to land only via marriage or family. Many customary practices also did not recognize a woman's right to inherit property, and many widows became destitute when their in-laws took virtually all the deceased husband's property. In March the Akwa Ibom High Court ruled that the Etinan council area must allow women to inherit property.

In the 12 northern states that adopted sharia, religious and social norms affected women to varying degrees. For example, in Zamfara State local governments enforced laws requiring the separation of Muslim men and women in transportation and health care.

Women could arrange but not post bail at most police detention facilities.

Systemic Racial or Ethnic Violence and Discrimination

The country's ethnically diverse population consisted of more than 250 groups speaking 395 different languages. Many were concentrated geographically. Three major groups – Hausa, Igbo, and Yoruba – together constituted approximately one-half the population. Members of all ethnic groups reportedly practiced ethnic discrimination, particularly in private sector hiring patterns and the segregation of urban neighborhoods. A long history of tension existed among some ethnic groups. The government's efforts to address tensions among ethnic groups typically involved heavily concentrated security actions, incorporating police, military, and other security services, often in the form of a joint task force.

The law prohibits ethnic discrimination by the government, but most ethnic groups claimed marginalization in terms of government revenue allocation, political

representation, or both.

The constitution requires the government to have a “federal character,” meaning that cabinet and other high-level positions must be distributed to persons representing each of the 36 states or each of the six geopolitical regions. President Buhari’s cabinet appointments conformed to this policy. Traditional relationships were used to pressure government officials to favor particular ethnic groups in the distribution of important positions and other patronage.

All citizens have the right to live in any part of the country, but state and local governments frequently discriminated against ethnic groups not indigenous to their areas, occasionally compelling individuals to return to a region where their ethnic group originated but where they no longer had ties. State and local governments sometimes compelled nonindigenous persons to move by threats, discrimination in hiring and employment, or destruction of their homes. Those who chose to stay sometimes experienced further discrimination, including denial of scholarships and exclusion from employment in the civil service, police, and military. For example, in Plateau State the predominantly Muslim and nonindigenous Hausa and Fulani often faced discrimination from the local government in land ownership, jobs, access to education, scholarships, and government representation.

Land disputes, competition concerning dwindling resources, ethnic differences, and settler-indigene tensions contributed to clashes between herdsmen and farmers throughout the North Central geopolitical zone. Ethnic and religious affiliation also contributed to and exacerbated some local conflicts. Nevertheless, many international organizations, including the International Crisis Group, assessed these divisions were incidental to the farmer-herder conflict. Conflicts concerning land rights continued among members of the Tiv, Kwalla, Jukun, Fulani, and Azara ethnic groups living near the convergence of Nasarawa, Benue, and Taraba states.

The government engaged in efforts to quell intercommunal conflict. For example, the Kaduna Peace Commission sought out national religious leaders to convene a meeting within the state that included prominent local and national traditional and religious leaders to condemn the chronic violence there. Taraba State enlisted the help of the Taraba Interreligious Council to draw up plans to initiate a state government agency to promote reconciliation and peacebuilding between farmers

and herders. Various early warning systems operating throughout the North Central and North West regions were also responsible for preventing attacks from occurring. The Plateau Peacebuilding Agency actively promoted and spread its peacebuilding and reconciliation efforts through the development of intercommunal early warning systems that were able to check simmering conflict before it erupted into violence.

The government further implemented substantial reforms in the cattle-rearing industry with input from state and local stakeholders to facilitate and incentivize ranching over herding to combat sources of rural violence. To implement the National Livestock Transformation Policy, the federal government in November began to receive applications from states to disburse funds allocated for herding-to-ranching projects.

In Kano State, the government took special steps to stem insecurity that spurred ethnic tensions. The Kano Interreligious Council, the Kano Peace Commission, and the State Commission for Religious Affairs brought persons together to discuss problems that had the potential to disrupt public cohesion. The state government further invited herders and their cattle to occupy the Rogo Forest on Kano State's western border with Kaduna State where they would not cross paths with farmers and incentivized the move with the establishment of rural feeder roads, water service, schools, and health facilities in the area.

Children

Birth Registration: Children derive their citizenship from their parents. The government does not require birth registration, and the majority of births were unregistered. The *2018 Nigeria Demographic and Health Survey*, the most recent data source available, found that only 42 percent of births of children younger than five were registered. Lack of documents did not result in denial of education, health care, or other public services.

Education: The law requires provision of tuition-free, compulsory, and universal basic education for every child of primary and junior secondary school age. According to the constitution, women and girls are supposed to receive career and vocational guidance at all levels, as well as access to quality education, education

advancement, and lifelong learning. Despite these provisions, extensive discrimination and impediments to women and girls' participation in education persisted, particularly in the north. The lowest attendance rates were in the north. According to UNICEF, in the north, for every 10 girls in school, more than 22 boys attended.

Pregnant girls were generally not allowed to attend school, with some schools reportedly conducting pregnancy tests before admitting them.

Public schools remained substandard and limited facilities precluded access to education for many children. Increased enrollment rates created challenges in ensuring quality education. According to UNICEF, in some instances there were 100 pupils for one teacher.

The North East had the lowest primary school attendance rate. The most pronounced reason was the Boko Haram and ISIS-WA insurgencies, which prevented thousands of children from continuing their education in Borno and Yobe states (due to destruction of schools, community displacement, and mass movement of families from those crisis states to safer areas). Attacks on schools and kidnappings exacerbated the situation.

Many NGOs including Save the Children International expressed concern regarding school closures in Zamfara, Katsina, Adamawa, Kaduna, and Niger states due to concerns of schoolchildren being abducted (see section 1.b.).

Child Abuse: Child abuse remained common throughout the country, but the government took no significant measures to combat it. Findings from the *Nigeria Violence Against Children Survey* released in 2015 revealed that approximately six of every 10 children younger than 18 experienced some form of physical, emotional, or sexual violence during childhood. One in two children experienced physical violence, one in four girls and one in 10 boys experienced sexual violence, and one in six girls and one in five boys experienced emotional violence.

According to UNICEF, in 2019 the country had approximately 10 million Almajiri children, poor children from rural homes sent to urban areas by their parents, ostensibly to study and live with Islamic teachers. The system persisted because of scarce government social safety net and welfare programs. Parents of children

with behavioral, mental health, or substance abuse problems at times turned to the Almariji, who claimed to offer treatment. Instead of receiving an education, many Almariji were forced to work manual jobs or beg for alms that were given to their teacher. The religious leaders often did not provide these children with sufficient shelter or food, and many of the children effectively became homeless. Beginning in 2020 and throughout the year, northern governors condemned the abuses occurring at Islamic rehabilitation centers and Almariji schools and enacted programs to protect vulnerable children. In 2020 governors of 19 northern states agreed to ban Almariji schools, and during the COVID-19 pandemic they repatriated thousands of students across state lines. Governors Nasir El-Rufai of Kaduna, Abdullahi Ganduje of Kano, and Aminu Masari of Katsina campaigned against the involuntary confinement of children and young adults in rehabilitation centers and Almariji schools throughout the north. The government raided centers in response to allegations that women, children, and men were being held captive, chained, and tortured as part of rehabilitation programs in the region.

In some states children accused of witchcraft were killed or suffered abuse such as kidnapping and torture.

So-called baby factories operated, often disguised as orphanages, religious or rehabilitation centers, hospitals, or maternity homes. They sold newborns of pregnant women – mostly unmarried girls – who were sometimes held against their will and raped. The persons running the factories sold the children for various purposes, including adoption, child labor, child trafficking, or sacrificial rituals, with boys fetching higher prices.

Child, Early, and Forced Marriage: The law sets a minimum age of 18 for marriage for both boys and girls. According to UNICEF, 43 percent of women between the ages of 20 and 24 were married before the age of 18, while 16 percent were married before age 15. The prevalence of child, early, and forced marriage varied widely among regions, with figures ranging from 76 percent in the North West to 10 percent in the South East. As of January, 26 state assemblies had adopted a law that sets the minimum marriage age, but most states, especially northern states, did not uphold the federal official minimum age for marriage. The government engaged religious leaders, emirs, and sultans on the problem, emphasizing the health hazards of early marriage. Certain states worked with

NGO programs to establish school subsidies or fee waivers for children to help protect against early marriage. The government did not take significant legal steps to end sales of young girls into marriage.

In the north parents complained the quality of education was so poor that schooling could not be considered a viable alternative to marriage for their daughters. Families sometimes forced young girls into marriage as early as puberty, regardless of age, to prevent “indecent” associated with premarital sex or for other cultural and religious reasons. Boko Haram subjected abducted girls to forced marriage.

Sexual Exploitation of Children: The law prohibits child commercial sexual exploitation and sexual intercourse with a child. Two-thirds of states had adopted the relevant federal law. The minimum age for sexual consent varies according to state law. The constitution provides that “full age” means the age of 18, but it creates an exception for any married woman who “shall be deemed of full age.” In some states, children as young as 11 can be legally married under customary or religious law. The law criminalizes child sex trafficking.

The law criminalizes incest. The law criminalizes the production, procurement, distribution, and possession of child pornography.

Sexual exploitation of children remained a significant problem. Children were exploited in commercial sex, both within the country and in other countries. There were reports that girls were victims of sexual exploitation in IDP camps. The government expanded efforts to identify victims of exploitation in IDP camps. For example, the government continued a screening and sensitization campaign to identify sex trafficking victims in IDP camps in Bama and other areas near Maiduguri. The National Agency for the Prohibition of Trafficking in Persons also collaborated with the Borno State government, international organizations, and NGOs to establish the Borno State Antitrafficking Task Force.

Infanticide or Infanticide of Children with Disabilities: Media reports indicated some communities killed infants born as twins or with birth defects or albinism.

Displaced Children: According to UNICEF, as of July 2020, children made up 60 percent of the IDP population. There were displaced children among IDP

populations in other parts of the north as well. Many children were homeless.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

Although accounting for far less than 1 percent of the population, there are three distinct Jewish communities. The smallest of these are mostly foreigners, whom Israel and the Diaspora recognize. A larger group of several thousand indigenous Nigerian Jews were not recognized internationally. There were also significant numbers of Judaic-oriented groups, including Sabbatarians, the members of which adopted many Jewish customs but were essentially Christian. There were no reports of anti-Semitic acts.

In July authorities detained for 20 days three visiting Israeli filmmakers making a documentary about Nigerian Jews in the South East region on suspicion of supporting illegal Indigenous People of Biafra separatists, the leaders of whom professed a connection to Judaism. Authorities released them without charge, and they left the country. Prior to their arrest, the documentarians had filmed for several days, the recordings of which the filmmakers retained.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

According to the law, persons with disabilities have the right to equal access to education, health services, public buildings, and transportation. Violators are subject to fines, imprisonment, or both. The government did not always enforce the law, and persons with disabilities often faced restrictions to equal access.

Children with disabilities faced significant hurdles obtaining educational services. A report from the Joint National Association of Persons with Disabilities stated that primary and secondary students with disabilities were confined to understaffed and underequipped schools. Inclusion programs in mainstream schools were rare.

Some national-level policies, such as the *National Health Policy of 2016*, provide for health-care access for persons with disabilities. By year's end, 10 states (Kano, Jigawa, Anambra, Kogi, Ondo, Lagos, Ekiti, Plateau, Kwara, and Bauchi) had adopted the national disability law. The Ministry of Women's Affairs and Social Development has responsibility for persons with disabilities. Some government agencies, such as the Nigerian Human Rights Commission and the Ministry of Labor and Employment, designated an employee to work on matters related to disabilities. The Oyo State government reported it employed more than 150 persons with disabilities.

In January authorities in Osun State arrested the father and brother of a 20-year-old woman with disabilities for keeping her locked in her residence. There were no available updates to the case at year's end.

The government operated vocational training centers in Abuja and Lagos to train indigent persons with disabilities. Individual states also provided facilities to help persons with physical disabilities become self-supporting. The Joint National Association of Persons with Disabilities served as the umbrella organization for a range of disability groups.

The constitution prohibits discrimination based on the "circumstances of one's birth." In 2019 the government passed a disability rights law for the first time, prohibiting discrimination based on disability. Persons with disabilities faced social stigma, exploitation, and discrimination, and relatives often regarded them as a source of shame. Many indigent persons with disabilities begged on the streets. Mental health-care services were almost nonexistent. Officials at a small number of prisons used private donations to provide separate mental health facilities for prisoners with mental disabilities. All prisoners with disabilities stayed with the general inmate population and received no specialized services or accommodations.

Persons with disabilities faced significant barriers to civic participation. A report by the Premium Times Investigation Center for Investigative Journalism stated there were almost no persons with disabilities who held public office. It further stated that persons with disabilities had difficulty registering to vote and encountered physical infrastructure barriers at polling stations. In November a group called Access Nigeria: Disability Votes Matter Campaign stated that more than half the routes to polling stations it surveyed in the local Anambra State elections were inaccessible to persons with disabilities.

The government enacted some programs to assist the participation of persons with disabilities in civic life. For example in 2018 Osun State launched a pilot program to allow persons with visual impairments to vote independently for the first time by using braille ballots.

HIV and AIDS Social Stigma

In general, persons with HIV faced widespread stigma and discrimination. Persons with HIV and AIDS were often ostracized by the community, fired from their jobs, or cast away from family. During the year federal and state governments worked with international donors and NGOs to reduce stigma and change perceptions of persons living with HIV and AIDS. The government also worked to reduce hesitancy in HIV testing and treatment.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity

During the year LGBTQI+ persons reported harassment, threats, discrimination, and incidents of violence against them based on their real or perceived sexual orientation or gender identity according to the NGO The Initiative for Equal Rights. The NGO documented 520 human rights abuses based on real or perceived sexual orientation, gender expression, and sex characteristics during the year. Of these cases, more than 10 percent involved state actors. Invasion of privacy, arbitrary arrest, and unlawful detention were the most common abuses perpetrated by officers and other state actors. Blackmail, extortion, assault, and battery were the most common abuses perpetrated by nonstate actors.

According to the law, anyone convicted of entering into a same-sex marriage or civil union may be sentenced to up to 14 years' imprisonment. The law also criminalizes the public show of same-sex "amorous affection." In the 12 states that have adopted sharia, adults convicted of engaging in same-sex sexual conduct may be subject to execution by stoning. While sharia courts did not impose such sentences during the year, in July, five men in Kano State were arrested by the local hisbah board for allegedly engaging in homosexuality. There were no updates on their cases at year's end.

The law effectively renders illegal all forms of activity supporting or promoting the rights of LGBTQI+ persons. Several NGOs provided legal advice and training in advocacy, media responsibility, and HIV and AIDS awareness to LGBTQI+ groups as well as safe havens for LGBTQI+ individuals.

LGBTQI+ persons persistently faced stigma, discrimination, and barriers to accessing basic health care. These included limiting physical access, challenges communicating with health-care providers, discriminatory or negative attitudes among health care workers, and high user fees.

Other Societal Violence or Discrimination

Various reports indicated street mobs killed suspected criminals during the year. In most cases these mob actions did not result in arrests.

Ritualists who believed certain body parts confer mystical powers kidnapped and killed persons to harvest body parts for rituals and ceremonies. For example in May, Iniobong Umoren, a 20-year-old woman, was raped and killed in Akwa Ibom State by a man accused of ritual killings. He was arrested by police. The case remained pending at year's end.

Members of both Christian and Muslim groups continued to report that some state and local government laws discriminated against them, including by limiting their rights to freedom of expression and assembly and to obtain government employment.

Persons born with albinism faced discrimination, were considered bad luck, and were sometimes abandoned at birth or killed for witchcraft purposes.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides all workers, except members of the armed forces, the Central Bank of Nigeria, and public employees who are classified in the broad category of “essential services” the right to form or belong to a trade union or other association, conduct legal strikes, and bargain collectively. Some statutory limitations substantially restrict these rights. The law does not prohibit general antiunion discrimination but lacks adequate protective measures in this regard.

Substantial restrictions on the rights of workers to form and join a union include, for example, the requirement of prior authorization or approval by the ministry to establish a union. By law a trade union may be registered only if there is no other union already registered in that trade or profession and if it has a minimum of 50 members, a threshold most businesses could not meet. Lengthy notice periods and an unlimited timeline for the ministry to deliberate on objections to union formation can prevent legitimate worker organization. In addition, penalties are imposed for organizing or joining an organization that is not officially recognized.

Trade unions must meet various registration requirements to be legally established. A three-month notice period, starting from the date of publication of an application for registration in the *Nigeria Official Gazette*, must elapse before a trade union may be registered. If the Ministry of Labor and Employment does not receive objections to registration during the three-month notice period, it must register the union within three months of the expiration of the notice period. If an objection is raised, the ministry has an indefinite period to review and deliberate on the registration. The registrar may refuse registration because a proper objection has been raised or because a purpose of the trade union is illegal. The law does not explain what an appropriate objection or illegal target may be. Each federation must consist of 12 or more affiliated trade unions, and each trade union must be an exclusive member in a single federation. Penalties are imposed for organizing or joining an organization that is not officially recognized.

The law generally does not provide for a union’s ability to conduct its activities without interference from the government. The law narrowly defines what union

activities are legal.

The law places limits on the scope of collective bargaining. For example, the law stipulates that every collective agreement on wages be registered with the National Salaries, Income, and Wages Commission, which decides whether the agreement becomes binding. Workers and employers in export-processing zones (EPZs) have fewer legal protections than other workers. For example, although EPZ workers may organize and engage in collective bargaining, there are no explicit provisions providing them the right to organize their administration and activities without interference by the government. The law does not allow worker representatives free access to the EPZs to organize workers, and it prohibits workers from striking for 10 years following the commencement of operations by the employer within a zone. In addition, the Nigerian Export Processing Zones Authority, which the federal government created to manage the EPZ program, has exclusive authority to handle the resolution of disputes between employers and employees, thereby limiting the autonomy of the bargaining partners.

The law places legal restrictions on workers' right to strike. For example, the law requires a majority vote of all registered union members to call a strike and limits the right to strike to certain types of labor disputes such as those arising from an employment contract or related to wages and conditions of work. The law prohibits strikes in essential services. The International Labor Organization (ILO), however, stated that government defined "essential services" in an overly broad manner. Essential services included the Central Bank of Nigeria; the Nigerian Security Printing and Minting Company, Ltd.; any corporate body licensed to carry out banking under the Banking Act; the postal service; sound broadcasting; telecommunications; maintenance of ports, harbors, docks, or airports; transportation of persons, goods, or livestock by road, rail, sea, or river; road cleaning; and refuse collection. Strike actions, including many in nonessential services, may be subject to a compulsory arbitration procedure leading to a final award, which is binding on the parties concerned. Strikes based on disputed national economic policy are prohibited. Penalties for conviction of participating in an illegal strike include fines and imprisonment for up to six months.

Many alleged cases in antiunion discrimination and obstruction to collective bargaining were reported during the year. Specific acts include denial of the right

to join trade unions, massive dismissals for trying to join trade unions, mass repression of union members, and arrests of union members, among others.

While workers exercised some of their rights, the government generally did not effectively enforce applicable laws. Penalties were not commensurate with those for similar violations. Inflation reduced the deterrence value of many fines established by older laws.

In many cases workers' fears of negative repercussions inhibited their reporting of antiunion activities. According to labor representatives, police rarely gave permission for public demonstrations and routinely used force to disperse protesters. The Nigerian Labor Congress (NLC) described the mass layoffs of workers by the governor of Kaduna State, Nasir El-Rufai, as the most brutal attack on workers and trade unions' rights in the country's history, breaching provisions of relevant laws. The governor laid off more than 60 percent of the state's workforce in Kaduna State. In April, El-Rufai fired 4,000 local council workers. Between 2016 and 2021, the governor laid off 21,700 primary school teachers, 7,310 local government employees, 3,000 personnel in the state civil service, and 1,240 workers in the health sector. On May 18, the NLC embarked on a five-day warning strike in Kaduna State, paralyzing business activity throughout the state. The state government threatened to lay off the protesting workers. Following the intervention of the federal government, the NLC suspended the strike after two days.

Collective bargaining occurred throughout the public sector and the organized private sector but remained restricted in some parts of the private sector, particularly in banking and telecommunications. According to the International Trade Union Confederation, the government and some private-sector employers occasionally failed to honor their collective agreements.

b. Prohibition of Forced or Compulsory Labor

The law prohibits most forms of forced or compulsory labor, including by children, except compulsory prison labor. Criminal penalties were commensurate with those for similar crimes but were seldom appropriately enforced. The government did not effectively enforce these laws in many parts of the country. The government

took steps to identify or eliminate forced labor, but insufficient resources and lack of training on such laws hampered efforts.

Forced labor remained in multiple sectors of the economy with reports of women and girls subjected to forced labor in domestic service and boys subjected to forced labor in street vending, domestic service, mining, stone quarrying, agriculture, and begging.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The government does not prohibit all of the worst forms of child labor. Penalties were not commensurate with those for similar crimes. Child labor was prevalent, especially in the informal sector.

The law sets the general minimum age for employment at 12. Persons younger than 14 may be employed only on a daily basis, must receive the day's wages at the end of each workday, and must be able to return each night to their parents' or guardian's residence. By law these regulations do not apply to domestic service. The law also provides exceptions for light work in agriculture and horticulture if the employer is a family member. No person younger than 16 may work underground, in machine work, or on a public holiday. No "young person," defined by law as a person younger than 18, may be employed in any job that is injurious to health, dangerous, or immoral. For industrial work and work on vessels where a family member is not employed, the minimum work age is 15, consistent with the age for completing educational requirements. The law states children may not be employed in agricultural or domestic work for more than eight hours per day. Apprenticeship of youths older than 12 is allowed in skilled trades or as domestic servants.

The Labor Ministry dealt specifically with child labor problems but mainly conducted inspections in the formal business sector, where the incidence of child labor reportedly was not significant. The National Agency for the Prohibition of Trafficking has some responsibility for enforcing child labor laws, although it primarily rehabilitates trafficking and child labor victims. Victims or their

guardians rarely complained due to intimidation and fear of losing their jobs.

The government completed the new *National Action Plan on Child Labor 2021-2025*, coordinated by the Ministry of Labor and Employment. The government's child labor policy focused on intervention, advocacy, sensitization, legislation, withdrawal of children from potentially harmful labor situations, and rehabilitation and education of children following withdrawal. In an effort to withdraw children from the worst forms of child labor, the government operated vocational training centers with NGOs around the country. The Labor Ministry confirmed that 2,996 children were removed from child labor during the year, a small number compared to the 15 million working children younger than 14 in the country, according to ILO estimates. Ministry of Labor officials expressed concern during the year that 43 percent of children between the ages of five to 17 were engaged in economic activities (although not all of them were engaged in the worst forms of child labor), and that the COVID-19 pandemic pushed more children to work for financial reasons. Despite the policy and action plan, children largely were not adequately protected due to weak enforcement of the law and gaps in coverage.

Children engaged in the worst forms of child labor identified in the country including: commercial agriculture and hazardous farm work (cocoa, cassava); street hawking; exploitative cottage industries such as iron and other metal works; hazardous mechanical workshops; exploitative and hazardous domestic work; commercial fishing; exploitative and hazardous pastoral and herding activities; construction; transportation; mining and quarrying; commercial sex work and pornography; forced and compulsory labor and debt bondage; forced participation in violence, criminal activity, and ethnic, religious, and political conflicts; and involvement in drug peddling.

Many children worked as beggars, street peddlers, and domestic servants in urban areas. Children also worked in the agricultural sector and in mines. Boys were forced to work as laborers on farms, in restaurants, for small businesses, and in granite mines as well as street peddlers and beggars. Girls worked involuntarily as domestic servants and street peddlers.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

d. Discrimination with Respect to Employment and Occupation

The law does not prohibit discrimination in employment and occupation based on race, sex, religion, political opinion, gender, language, sexual orientation, gender identity, age, HIV-positive status, or social status. The government did not effectively address discrimination in employment or occupation except in the area of discrimination against persons with disabilities. Penalties were not commensurate with those for similar violations. Gender-based discrimination in employment and occupation occurred (see section 6, Women, Discrimination). Women are legally barred from particular fields of employment, such as mining. Women often experienced discrimination due to traditional and religious practices. Police regulations provide for special recruitment requirements and conditions of service applying to women, particularly the criteria and provisions relating to pregnancy and marital status. In 2019 the government adopted a law prohibiting discrimination against persons with disabilities that provides them the right to education without discrimination or segregation and the right to work on an equal basis with others, including the right to opportunity to gain a living by work freely chosen or accepted in a labor market and work environment that is open. The law further provides that “all employers of labor in public organizations shall, as much as possible, have persons with disabilities constituting at least 5 percent of their employment.”

NGOs expressed concern regarding discrimination against women in the private sector, particularly in access to employment, promotion to higher professional positions, and salary equity. According to reports many businesses implemented a “get pregnant, get fired” policy. Women remained underrepresented in the formal sector where labor protections and higher wages applied. Women did not receive equal pay for equal work and often encountered difficulty in acquiring commercial credit or obtaining tax deductions or rebates as heads of households. Unmarried women endured many forms of discrimination. Several states had laws mandating equal opportunity for women.

Employers frequently discriminated against persons with HIV and AIDS. The government spoke out in opposition to such discrimination, calling it a violation of the fundamental right to work.

e. Acceptable Conditions of Work

Wage and Hour Laws: The law provides for a national minimum wage for public and private sector employers with 25 or more full-time employees, with exceptions for seasonal agricultural workers and some others. In 2019 President Buhari signed legislation increasing the legal national monthly minimum wage to approximately \$73 per month from \$49.60 per month. The minimum wage was not higher than the poverty income level. Trade unions protested the failure of the new minimum wage to keep up with inflation. Employers with fewer than 25 employees are exempt from the minimum wage, and most workers were not covered. Government enforcement of the minimum wage, particularly by state governments, remained sporadic despite workers' protests and warning strikes.

The law mandates a 40-hour workweek, two to four weeks of annual leave, and overtime and holiday pay, except for agricultural and domestic workers. The law does not define premium pay or overtime. The law prohibits excessive compulsory overtime for civilian government employees. Penalties for wage and hour violations were not commensurate with those for similar violations.

The Ministry of Labor and Employment is responsible for enforcement of wage and hour laws, but the number of labor inspectors was insufficient to enforce compliance. Although the law gives labor inspectors authority to make unannounced visits and initiate sanctions, most individuals must make their own complaint before the National Industrial Court of Nigeria in order to report noncompliance and seek redress. The law further clarifies that an agreement for the payment of wages less than the national minimum wage is void and of no effect.

The National Industrial Court of Nigeria has original exclusive jurisdiction for all labor and employment matters. The court developed a virtual hearing protocol during the COVID-19 pandemic to continue hearing cases. Penalties were low and not commensurate with other crimes, such as fraud. For example, the fine for employers found in violation for failing to pay minimum wage could not exceed 5 percent of the monthly wage. The court publishes recent decisions on its website. Because the court relies on individuals to bring their own complaints against employers and small businesses with fewer than 25 employees are exempt from the

minimum wage laws, most if not all cases involved higher wage or salaried employees who were working in the formal sector.

Occupational Safety and Health: The law establishes appropriate occupational safety and health (OSH) standards for the main industries in the country. OSH experts did not actively identify unsafe conditions and there were insufficient OSH inspectors to respond to workers' OSH complaints. The law requires employers to compensate injured workers and dependent survivors of workers killed in industrial accidents. The law provides for the protection of factory employees in hazardous situations. The law does not provide other nonfactory workers with similar protections. The law applies to legal foreign workers, but not all companies respected these laws. Penalties were not commensurate with those for similar violations. By law workers may remove themselves from situations that endanger health or safety without jeopardy to their employment, but authorities did not effectively protect employees in these situations.

The Ministry of Labor and Employment is responsible for enforcing OSH standards. The ministry did not effectively enforce OSH law and did not have enough inspectors to enforce compliance. The ministry is tasked to inspect factories' compliance with health and safety standards but was underfunded, lacked basic resources and training, and consequently did not sufficiently enforce safety regulations at most enterprises, particularly construction sites and other nonfactory work locations. Labor inspections mostly occurred randomly but occasionally occurred when there was suspicion, rather than actual complaints, of illegal activity. In addition, the government did not enforce the law strictly.

Informal Sector: Approximately 70 percent of the country's working population worked in the informal economy. Economic researchers stated the country's informal sector produced between 47 to 67 percent of GDP. The National Bureau of Statistics reported rising numbers of unemployment during the pandemic (unemployment rate rose from 27 percent to more than 33 percent in 2020), pushing more workers into underemployment and the informal sector. Youth and women were more likely to be employed in the informal sector. The informal sector consisted mainly of small-scale, largely self-employment activities such as retail trade; transport, restaurant, and repair services; financial services; domestic work; personal services; farming, mining and quarrying; sewing; attending

traditional births; and acting as herbalists and other traditional medical practitioners. Relatively profitable informal work could be found in the financial sector, with private money lenders, currency exchangers, and informal finance associations operating irregular and shadow-banking enterprises. For example, traditional “*esusu* associations” involved members who contributed a fixed amount periodically and gave all or part of the accumulated funds to one or more member(s) in rotation until all members had benefited from the pool. Some informal financial work was associated with gambling or illegal enterprise.

Authorities did not enforce wage, hour, and OSH laws and inspections in the informal sector. The law authorizes individuals to bring violations to the National Industrial Court on their own behalf, but informal workers did not bring cases to the court. The country allows informal workers to join its National Health Insurance Scheme by paying voluntary contributions, but less than 5 percent of the population subscribed. The government does not provide social protections for workplace injury or sickness for informal sector workers or self-employed workers. Small businesses with more than three employees and some individuals could join voluntary contribution programs with the national pension for old age and survivor benefit, sickness and maternity coverage, but rarely enrolled.